

**In The United States Court Of Appeals
FOR THE DISTRICT OF COLUMBIA**

Case No. 22-7036

Kenneth Dickerson,

Appellant

v.

District of Columbia,

Appellee

APPELLANT’S STATEMENT OF ISSUES TO BE RAISED

Appellant, Kenneth Dickerson, intends to raise the following issues on appeal:

Whether the United States District Court’s March 3, 2022 erroneously granted

Defendant’s Motion for Summary Judgment, to include the following questions?

Whether applying the McDonald-Douglas framework, the District Court properly determined, as a matter of law, that Defendant had articulated a “legitimate non-discriminatory reason” for Appellant to his leadership position at Wilson High School?

Whether a restructuring, as distinct from a reduction in force based on economic necessity, may constitute an employer justification sufficient to shift the burden back to the employee under McDonald-Douglas?

Whether Defendant's decision to terminate Mr. Dickerson to replace all or most of the school district's city wide leadership staff required Appellant's termination while hiring a white female to replace him team without any consideration whatsoever of Appellant's qualifications and performance to determine what, if any role, he may have had in the "school's failure."

Respectfully submitted,

Donald M. Temple

Donald M. Temple, Esq.
1310 L Street, N.W. Suite 750
Washington, DC 20005
202-628-1101
dtemplelaw@gmail.com

CERTIFICATE OF SERVICE

I hereby certify that on the 29th day of April 2022 a copy of the foregoing was served by use of the Court's Electronic Filing System, upon the following:

Stacy L. Anderson
Office of the Attorney General
For the District of Columbia
400 Sixth Street, N.W. Suite 8100
Washington, DC 20001

Donald M. Temple

Donald M. Temple